

**MEDICINE BOARD[653]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 147.76, 148E.7 and 272C.3, the Board of Medicine hereby amends Chapter 25, "Contested Case Proceedings," Iowa Administrative Code.

Iowa Code section 148.7(4) addresses the licensee's right to appear personally and by attorney at a hearing or prehearing conference. The amendment in Item 1 defines "appear personally" to mean that a licensee may participate in a hearing via teleconference or videoconference or be physically present. Item 2 allows the respondent to appear personally and by attorney.

The Board approved these amendments to Chapter 25 during a telephone conference call on July 24, 2008.

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on June 18, 2008, as **ARC 6861B**. No public comment was received. These amendments are adopted as Noticed.

These amendments are intended to implement Iowa Code chapters 17A and 148.

These amendments will become effective on September 17, 2008.

The following amendments are adopted.

ITEM 1. Adopt the following **new** "Appear personally" in rule **653—25.1(17A)**:

*"Appear personally"* means the ability to participate at a hearing or a prehearing conference through teleconference or videoconference or to be physically present.

ITEM 2. Amend subrule 25.18(5) as follows:

**25.18(5)** Parties have the right to ~~participate or~~ appear personally and to be represented in all hearings or prehearing conferences related to their case. Any party may be represented by an attorney at the party's own expense.

[Filed 7/24/08, effective 9/17/08]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/13/08.